

IFW

Docket No.: 252144US2CONT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

OBLON  
SPIVAK  
McCLELLAND  
MAIER  
&  
NEUSTADT  
P.C.

ATTORNEYS AT LAW

RE: Application Serial No.: 10/828,416

Applicants: Nobuhiro NAKAMURA

Filing Date: April 21, 2004

For: ORGANIC ELECTROLUMINESCENCE DISPLAY  
ELEMENT, A DISPLAY DEVICE AND A METHOD  
FOR PRODUCING EACH

Group Art Unit: 2879

Examiner: ZIMMERMAN, G.

SIR:

Attached hereto for filing are the following papers:

**PROVISIONAL ELECTION**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
Gregory J. Maier  
Registration No. 25,599

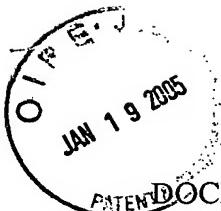
Customer Number

22850

(703) 413-3000 (phone)  
(703) 413-2220 (fax)

Philip J. Hoffmann  
Registration No. 46,340

Michael R. Casey, Ph.D.  
Registration No. 40,294



PATENT DOCKET NO: 252144US2CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

NOBUHIRO NAKAMURA

: EXAMINER: ZIMMERMAN, G.

SERIAL NO: 10/828,416

:

FILED: APRIL 21, 2004

: GROUP ART UNIT: 2879

FOR: ORGANIC  
ELECTROLUMINESCENCE DISPLAY  
ELEMENT, A DISPLAY DEVICE AND A  
METHOD FOR PRODUCING EACH

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement dated December 23, 2004, Applicant provisionally elects the invention of Group I, identified in the Requirement as including Claims 1-12.

The Restriction Requirement is respectfully traversed based on MPEP §803, which states:

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

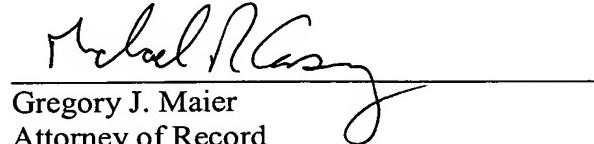
The claims of the present invention would appear to be part of an overlapping search area. Accordingly, the outstanding Restriction Requirement is respectfully traversed on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Application No. 10/828,416  
Reply to Restriction Requirement of December 23, 2004

Therefore, it is respectfully requested that the Requirement to elect a single invention be withdrawn, and that a full examination on the merits of Claims 1-13 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
Gregory J. Maier  
Attorney of Record  
Registration No. 25,599

Philip J. Hoffmann  
Registration No. 46,340

Michael R. Casey, Ph.D.  
Registration No. 40,294

I:\ATTY\ET\252144US\252144US-RES1.DOC